

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 21-cr-173 (PJS/DTS)

Plaintiff,

v.

ORDER

Anton Joseph Lazzaro (1),

Defendant.

Defendant Joseph Lazzaro filed a Motion of Defendant for Continuance of Motion Hearing Court Date [Dkt. No. 146] and a Statements of Facts in Support of Exclusion of Time Under the Speedy Trial Act [Dkt. No. 147]. Defendant requests the motion hearing scheduled for February 17, 2022, be continued based on the need for additional time to retain new lead counsel to represent him in the upcoming motion hearing.

The Court has previously granted Defendant's Motion to Extend Disclosure Deadline [Dkt. No. 37], Motion for Withdrawal of Counsel [Dkt. No. 89], and Motion for Continuance of Pre-Filing Deadlines [Dkt. No. 119]. Defendant's pretrial motions have been filed since January 14, 2022, and Defendant has now discharged an additional three attorneys less than two weeks before the motion hearing. Although Defendant's decision to terminate the attorney-client relationships led to his most recent Motion for Continuance and even though he still retains two of his original attorneys, this Court nonetheless finds that, pursuant to 18 U.S.C. § 3161(h), the ends of justice are served by granting a short continuance for Defendant to exercise due diligence in securing new trial counsel outweigh the best interests of the public and Defendant in a speedy trial.

IT IS HEREBY ORDERED:

1. Defendant's Motion for Continuance (Dkt. No. 146) is **GRANTED**. The motions shall be heard before Magistrate Judge David T. Schultz on **March 24, 2022**, at **3:30 p.m.** in Courtroom 9E, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, Minneapolis, unless Defendant consents to hearing by video conference.

2. The period of time from the date of this Order through March 24, 2022, shall be excluded from Speedy Trial Act computations for Defendants.

Dated: February 9, 2022

s/David T. Schultz
DAVID T. SCHULTZ
U.S. Magistrate Judge